

**EXHIBIT 3**



From: U.S. Department of Justice - VNS fedemail@vns.usdoj.gov  
Subject: U.S. Department of Justice - VNS - Investigative Case S04752 - Court Case 17-CR-00210  
Date: September 7, 2017 at 2:55 PM  
To: Carol Hepburn hepburn.lawyers@gmail.com

DO NOT REPLY TO THIS EMAIL.



U.S. Department of Justice  
Western District of Washington  
700 Stewart Street  
Suite 5220  
Seattle, WA 98101-1271  
Phone: (206) 553-2906  
Fax: (206) 553-4134  
Email: maggie.land@usdoj.gov

September 07, 2017

Ms. Carol Hepburn Esq.

Re: United States v. Defendant(s) James Graham Usherwood  
Case Number 2017R00934 and Court Docket Number 17-CR-00210

Dear Ms. Hepburn, Esq.:

The enclosed information is provided by the United States Department of Justice Victim Notification System (VNS). As a victim witness professional, my role is to assist you with information and services during the prosecution of this case. You have been designated to receive notifications on behalf of the following victim(s) (or potential victims) identified by law enforcement during the investigation of the case: I ~~Vicky Sarah Sierra Savannah~~  
~~Alice Sally Skylar Pig Avy Mya~~

Charges have been filed against defendant(s) James Graham Usherwood. The lead prosecutor for this case is Cecelia Gregson. The main charge is categorized as Project Safe Childhood. James Graham Usherwood is charged with Possession of Depictions of Minors Engaged in Sexually Explicit Conduct.

Victims of all crimes under federal investigation are entitled to services under the Victims' Rights and Restitution Act (VRRA), including notification of court events. For further details, please refer to Title 42 United States Code section 10607 or the VRRA link posted at <https://www.notify.usdoj.gov>.

Now that charges have been filed in federal court, victims of the charges filed are, in addition, entitled to the following rights, according to the Crime Victims' Rights Act, Title 18 United States Code section 3771: (1) The right to be reasonably protected from the accused; (2) The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused; (3) The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding; (4) The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding; (5) The reasonable right to confer with the attorney for the Government in the case; (6) The right to full and timely restitution as provided in law; (7) The right to proceedings free from unreasonable delay; (8) The right to be treated with fairness and with respect for the victim's dignity and privacy; (9) The right to be informed in a timely manner of any plea bargain or deferred prosecution agreement; and (10) The right to be informed of the rights under this section and the services described in section 503(c) of the Victims' Rights and Restitution Act of 1990 (42 U.S.C. 10607(c)) and provided contact information for the Office of the Victims' Rights Ombudsman of the Department of Justice.

Please understand that these rights apply only to victims of the counts charged in federal court, and thus you may not be able to exercise all of these rights if the crime of which you are a victim was not charged. In any event, we will continue to provide you with notifications and services unless you tell us not to. We will make our best efforts to ensure you are provided the rights and services to which you are entitled. You may contact the Victim/Witness Coordinator at the office listed above if you have questions about the progress of your case, your rights or the services to which you are entitled, or how you can assert them during the proceedings. If you believe that a Justice Department employee has not provided you with these rights, you may file a complaint with the Justice Department's Victims' Rights Ombudsman. For more information, go to <http://www.justice.gov/usao/resources/crime-victims-rights-ombudsman>. If you have questions about filing a complaint against an employee, you may contact the Ombudsman by email at [usao.VictimOmbudsman@usdoj.gov](mailto:usao.VictimOmbudsman@usdoj.gov). Questions concerning this case should be directed to office listed above.

It is important to keep in mind that the defendant(s) are presumed innocent until proven guilty and that presumption requires both the Court and our office to take certain steps to ensure that justice is served. While our office cannot act as your attorney or provide you with legal advice, you can seek the advice of an attorney with respect to the rights above or other related legal matters.

Additionally, please be aware that most criminal cases are resolved by a plea agreement between the United States

Additionally, please be aware that most criminal cases are resolved by a plea agreement between the United States Attorney's Office and the defendant. You should also know that it is not unusual for a defendant to seek to negotiate a plea agreement shortly before a trial is scheduled to begin. Plea agreements can be made at any time and as late as the morning of trial, leaving little or no opportunity to provide notice to you of the date and time of the plea hearing. If the court schedules a plea hearing in this case, we will use our best efforts to notify you of available information as soon as practicable. If you want to inform the prosecutor of your views regarding potential plea agreements, or any other aspect of the case, please contact the prosecutor assigned to this case or me.

Defendant(s), James Graham Usherwood, has been released from federal custody.

On September 6, 2017, defendant James Graham Usherwood pled guilty to Possession of Depictions of Minors Engaged in Sexually Explicit Conduct. Any remaining counts will be disposed of at the time of sentencing. As a result of the guilty plea, there will be no trial involving this defendant.

The sentencing hearing for defendant(s), James Graham Usherwood, has been set for December 5, 2017, 09:00 AM at Courtroom 16206, US Courthouse, 700 Stewart Street, Seattle, WA 98101 before Judge John Coughenour. You are welcome to attend this proceeding; however, unless you have received a subpoena, your attendance is not required by the Court. If you plan on attending, you may want to verify the date and time by using the VNS Call Center or website. If you are a victim of the charged offense(s) and wish to speak at sentencing, please call our office well in advance of the scheduled hearing date.

A United States Probation Officer prepares a report for the Court and may contact you to discuss the impact the crime had on you financially, physically, and/or emotionally. If you are contacted, please make every effort to provide accurate and detailed information.

Because of the Court's schedule, hearing dates could change on very short notice. If you plan on attending, you may want to call the VNS Call Center or check the website to confirm the date and time. Please note, there is a 24-hour delay in information transfer to the website.

Through the Victim Notification System (VNS) we will continue to provide you with updated scheduling and event information as the case proceeds through the criminal justice system. You may obtain current information about this case on the VNS website at <https://www.notify.usdoj.gov> or from the VNS Call Center at 1-866-DOJ-4YOU (1-866-365-4968) (TDD/TYY: 1-866-228-4619) (International: 1-502-213-2767). In addition, you may use the Call Center or Internet to update your contact information and/or change your decision about participation in the notification program.

You will use your Victim Identification Number (VIN) '3610101' and Personal Identification Number (PIN) '3858' anytime you contact the Call Center and the first time you log into VNS on the website. You are associated with multiple cases. You will need only this victim ID/PIN code to access all case information. If you are receiving notifications with multiple victim ID/PIN codes please contact the VNS Call Center. In addition, the first time you access the VNS website, you will be prompted to enter your last name (or business name) as currently contained in VNS. The name you should enter is Hepburn.

Remember, VNS is an automated system and cannot answer questions. If you have other questions which involve this matter, please contact this office at the number listed above.

Sincerely,

Annette L. Hayes  
United States Attorney

Maggie Land  
Victim Specialist

If you do not want to receive email notifications from the Victim Notification System (VNS) please log into the VNS Web site at <https://www.notify.usdoj.gov>, select "My Information", remove your email address and click the "update" button. If you remove your email address, you will continue to receive letters from VNS except in those cases which have large numbers of victims. To change your email address, select "My Information", provide a new address and click the "update" button.

If you do not want to receive any notifications in your case, select "Stop Receiving Notifications" and follow the instructions on the screen.

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Please call the Victim Notification System (VNS) Help Desk at phone number 1-866-625-1631 for assistance and questions.

From: U.S. Department of Justice - VNS fedemail@vns.usdoj.gov  
Subject: U.S. Department of Justice - VNS - Investigative Case SE07QR17SE0005 - Court Case 17-CR-00210  
Date: September 13, 2017 at 9:43 AM  
To: Carol Hepburn hepburn.lawyers@gmail.com



DO NOT REPLY TO THIS EMAIL.



U.S. Department of Justice  
Western District of Washington  
700 Stewart Street  
Suite 5220  
Seattle, WA 98101-1271  
Phone: (206) 553-2906  
Fax: (206) 553-4134  
Email: maggie.land@usdoj.gov

September 13, 2017

Ms. Carol Hepburn Esq.

Re: United States v. Defendant(s) James Graham Usherwood  
Case Number 2017R00934 and Court Docket Number 17-CR-00210

Dear Ms. Hepburn, Esq.:

The enclosed information is provided by the United States Department of Justice Victim Notification System (VNS). As a victim witness professional, my role is to assist you with information and services during the prosecution of this case. You have been designated to receive notifications on behalf of the following victim(s) (or potential victims) identified by law enforcement during the investigation of the case: **VICKY, Sarah, Sierra, Savannah, Maureen, Alice, Salihi, Skylar, Pia, Ava, Mya**

Charges have been filed against defendant(s) James Graham Usherwood. The lead prosecutor for this case is Cecelia Gregson. The main charge is categorized as Project Safe Childhood. James Graham Usherwood is charged with Possession of Depictions of Minors Engaged in Sexually Explicit Conduct.

Victims of all crimes under federal investigation are entitled to services under the Victims' Rights and Restitution Act (VRRA), including notification of court events. For further details, please refer to Title 42 United States Code section 10607 or the VRRA link posted at <https://www.notify.usdoj.gov>.

Now that charges have been filed in federal court, victims of the charges filed are, in addition, entitled to the following rights, according to the Crime Victims' Rights Act, Title 18 United States Code section 3771: (1) The right to be reasonably protected from the accused; (2) The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused; (3) The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding; (4) The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding; (5) The reasonable right to confer with the attorney for the Government in the case; (6) The right to full and timely restitution as provided in law; (7) The right to proceedings free from unreasonable delay; (8) The right to be treated with fairness and with respect for the victim's dignity and privacy; (9) The right to be informed in a timely manner of any plea bargain or deferred prosecution agreement; and (10) The right to be informed of the rights under this section and the services described in section 503(c) of the Victims' Rights and Restitution Act of 1990 (42 U.S.C. 10607(c)) and provided contact information for the Office of the Victims' Rights Ombudsman of the Department of Justice.

Please understand that these rights apply only to victims of the counts charged in federal court, and thus you may not be able to exercise all of these rights if the crime of which you are a victim was not charged. In any event, we will continue to provide you with notifications and services unless you tell us not to. We will make our best efforts to ensure you are provided the rights and services to which you are entitled. You may contact the Victim/Witness Coordinator at the office listed above if you have questions about the progress of your case, your rights or the services to which you are entitled, or how you can assert them during the proceedings. If you believe that a Justice Department employee has not provided you with these rights, you may file a complaint with the Justice Department's Victims' Rights Ombudsman. For more information, go to <http://www.justice.gov/usao/resources/crime-victims-rights-ombudsman>. If you have questions about filing a complaint against an employee, you may contact the Ombudsman by email at [usao.VictimOmbudsman@usdoj.gov](mailto:usao.VictimOmbudsman@usdoj.gov). Questions concerning this case should be directed to office listed above.

It is important to keep in mind that the defendant(s) are presumed innocent until proven guilty and that presumption requires both the Court and our office to take certain steps to ensure that justice is served. While our office cannot act as your attorney or provide you with legal advice, you can seek the advice of an attorney with respect to the rights above or other related legal matters.

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Defendant(s), James Graham Usherwood, has been released from federal custody.

On September 6, 2017, defendant James Graham Usherwood pled guilty to Possession of Depictions of Minors Engaged in Sexually Explicit Conduct. Any remaining counts will be disposed of at the time of sentencing. As a result of the guilty plea, there will be no trial involving this defendant.

The sentencing hearing for defendant(s), James Graham Usherwood, has been set for December 5, 2017, 09:00 AM at Courtroom 16206, US Courthouse, 700 Stewart Street, Seattle, WA 98101 before Judge John Coughenour. You are welcome to attend this proceeding; however, unless you have received a subpoena, your attendance is not required by the Court. If you plan on attending, you may want to verify the date and time by using the VNS Call Center or website. If you are a victim of the charged offense(s) and wish to speak at sentencing, please call our office well in advance of the scheduled hearing date.

A United States Probation Officer prepares a report for the Court and may contact you to discuss the impact the crime had on you financially, physically, and/or emotionally. If you are contacted, please make every effort to provide accurate and detailed information.

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Sincerely,

Annette L. Hayes  
United States Attorney

Maggie Land  
Victim Specialist

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**From:** U.S. Department of Justice - VNS <fedemail@vns.usdoj.gov>  
**Sent:** Thursday, September 7, 2017 10:01 PM  
**To:** Restitution  
**Subject:** U.S. Department of Justice - VNS - Investigative Case S04752 - Court Case 17-CR-00210

DO NOT REPLY TO THIS EMAIL.



**U.S. Department of Justice**  
Western District of Washington  
700 Stewart Street  
Suite 5220  
Seattle, WA 98101-1271  
Phone: (206) 553-2906  
Fax: (206) 553-4134  
Email: maggie.land@usdoj.gov

September 07, 2017

The Marsh Law Firm, PLLC  
James Marsh Esq.

Re: United States v. Defendant(s) James Graham Usherwood  
Case Number 2017R00934 and Court Docket Number 17-CR-00210

Dear James Marsh, Esq.:

The enclosed information is provided by the United States Department of Justice Victim Notification System (VNS). As a victim witness professional, my role is to assist you with information and services during the prosecution of this case. You have been designated to receive notifications on behalf of the following victim(s) (or potential victims) identified by law enforcement during the investigation of the case:

[REDACTED] Ms. A [REDACTED] M [REDACTED], [REDACTED]  
[REDACTED].

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Additionally, please be aware that most criminal cases are resolved by a plea agreement between the United States Attorney's Office and the defendant. You

should also know that it is not unusual for a defendant to seek to negotiate a plea agreement shortly before a trial is scheduled to begin. Plea agreements can be made at any time and as late as the morning of trial, leaving little or no opportunity to provide notice to you of the date and time of the plea hearing. If the court schedules a plea hearing in this case, we will use our best efforts to notify you of available information as soon as practicable. If you want to inform the prosecutor of your views regarding potential plea agreements, or any other aspect of the case, please contact the prosecutor assigned to this case or me.

Defendant(s), James Graham Usherwood, has been released from federal custody.

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Sincerely,

Annette L. Hayes  
United States Attorney

Maggie Land  
Victim Specialist

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